

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
:
-v- : 18-CR-303-1 (JMF)
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GERMAN MARMOLEJOS, : ORDER
:
Defendant. :
:
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JESSE M. FURMAN, United States District Judge:

There is a proceeding in this matter scheduled for **March 2, 2021**. In light of the Defendant's recent failure to report for his competency examination, the Court assumes that the conference should be adjourned *sine die*. Counsel are directed to confer and, **within two business days of this Order**, to advise the Court by joint letter whether they agree or disagree. The letter should also include any new information concerning the Defendant and his whereabouts.

If either counsel believe that the conference should be held, counsel should explain in their letter why and indicate their views on (1) whether the proceeding should be held in person or remotely; (2) whether, if permitted under the Constitution, the Federal Rules, and the CARES Act, the Defendant consents to a remote proceeding and/or to waiving his/her appearance altogether; and (3) whether the Defendant would be capable of participating in a remote proceeding.

If a proceeding is held, it may have to be at a different time. To that end, counsel should indicate in their joint letter dates and times during the week of the currently scheduled proceeding that they would be available for a proceeding, whether in person or remote. In the event of a remote proceeding, counsel should review and comply with the Court's Emergency Individual Rules and Practices in Light of COVID-19, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>.

SO ORDERED.

Dated: February 16, 2021
New York, New York



JESSE M. FURMAN
United States District Judge